

REMARKS

Claims 1-5, 21, 25, 34, 35, 38-41, 44-45, 48-51, 54, 56, 59, 60, and 62-67 are pending in this application.

Claims 2-3, 38, 41, 48, 51, and 62-67 are cancelled without prejudice or disclaimer, and claims 1, 4-5, 21, 25, 34, 39-40, 44, 49-50, 54, and 59-60 are amended herein. Pursuant to 37 CFR \$1.21, changes to the amended claims are shown in the Appendix attached hereto, with deletions indicated by brackets and additions by underlining.

Claims 1, 21, 25, 59, 60, and 62-67 are independent.

In an Official Action dated February 27, 2001, the Examiner instituted a restriction/election requirement between four groups of claims, Group I (claims 1-5, 34, 35, 59, 60, and 61), Group II (claims 21, 25, 38-41, 44-45, 48-51, 54 and 56), Group III (claims 62, 64, and 66), and Group IV (claims 63, 65, and 67). In an Amendment and Response To Restriction/Election Requirements filed May 30, 2001, Group II was provisionally elected with traverse.

In the Official Action of August 8, 2001, the Examiner made the restriction/election requirement final, arguing that the method claims of Group I, which correspond to the article of manufacture and system claims of Group II, are materially different than the claims of Group II. In particular, the Examiner argued that the method claims of Group I could be practiced by hand, while the claims of Group II require a computer or a processor. Thus, separate searches would be required, placing an excessive burden on the Examiner.

As amended herein, the claims of Group I now explicitly recite a "computerized method." Therefore, a separate search will not be required for the Group I claims. OK!

Accordingly, it is respectfully requested that the Examiner examine the claims of Group I.

The claims of Group III and the claims of Group IV are cancelled without prejudice or disclaimer herein, as it is presently intended to include these claims in a Divisional Application. ✓

Dependent claims 44 and 54 also stand rejected under 35 USC §112, second paragraph, as being indefinite. The rejection is respectfully traversed. ✓

As to the Examiner's rejection of claims 44 and 54 under 35 USC §112, second paragraph, the Examiner states "In claims 44 and 54 it is unclear how the first the second accounts entities can be the same deposit account entity? (Note that claims 44 and 54 depend from claims 41 and 51 respectively, in which both first and second accounts have been specifically claimed)." It should be noted that claims 44 and 54 now depend, respectively, from claims 21 and 25, but previously depended from now cancelled claims 41 and 51. The Examiner's rejection is not understood. Claims 44 and 54 merely add further limitations to, respectively, claims 21 and 25. Under a proper construction of claims 21 and 25, the first and the second accounts may be the same account or separate accounts. Whereas, claims 44 and 54 add the explicit limitation that the first and the second accounts be the same account. X

It is respectfully requested that the Examiner reconsider and withdraw the 35 USC §112, second paragraph, rejection of claim 44 and 54. No

Claims 21, 25, 38-41, 44, 45, 48-51, 54 and 56 stand rejected under 35 USC §103(a) as obvious over Lawlor et al. (U.S. Patent 5,220,501) in view of Benton et al. (U.S. Patent 5,265,008). The rejection is respectfully traversed.

It is respectfully submitted that the rejection of the pending claims under 35 USC §103(a) is improper. In particular, Lawlor, the primary reference, clearly teaches away from the modifications proposed by the Examiner and hence the proposed ||

combination of Lawlor and Benton is inconsistent with Lawlor's own teachings. As such, it is respectfully submitted that the Examiner has failed to establish a prima facie case of obviousness under 35 USC §103(a).

In rejecting claims under 35 U.S.C. 103, it is incumbent upon the Examiner to establish a factual basis to support the legal conclusion of obviousness. Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); In re Warner, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967). It also is incumbent upon the Examiner to provide a basis in fact and/or cogent technical reasoning to support the conclusion that one having ordinary skill in the art would have been motivated to combine references to arrive at a claimed invention. Uniroyal, Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 5 USPQ2d 1434 (Fed. Cir. 1988).

In so doing, the Examiner is required to make the factual determinations set forth in Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 148 USPQ 459 (1966), and to provide a reason why one having ordinary skill in the art would have been led to modify the prior art reference to arrive at the claimed invention. Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 227 USPQ 657 (Fed. Cir. 1985). Such a reason must stem from some teaching, suggestion or inference in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. Uniroyal, Inc. v. Rudkin-Wiley, 837 F.2d 1044, 5 USPQ2d 1434 (Fed. Cir. 1988); Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 227 USPQ 657 (Fed. Cir. 1985); ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 221 USPQ 929 (Fed. Cir. 1984); In re Sernaker, 702 F.2d 989, 217 USPQ 1 (Fed. Cir. 1983).

In determining obviousness, the inquiry is not whether each element existed in the prior art, but whether the prior art made obvious the invention as a whole for which patentability is claimed.

Hartness Int'l, Inc. v. Simplimatic Eng'g Co., 819 F.2d 1100, 2 USPQ2d 1826 (Fed. Cir. 1987). It is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. In re Wesslau, 353 F.2d 238, 147 USPQ 391 (CCPA 1951). Any reference must be considered as a whole and must suggest the desirability of making the combination, Hodosh v. Block Drug Co., Inc., 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986). Piecemeal reconstruction of prior art patents is improper, In re Kamm, 452 F.2d 1052, 172 USPQ 298 (CCPA 1972).

Simplicity and hindsight after the invention is made are not proper criteria for resolving obviousness, In re Warner, supra. In re Carroll, 601 F.2d 1184, 202 USPQ 571 (CCPA 1979). The proper approach to the issue of obviousness is whether the hypothetical person of ordinary skill in the art, familiar with the references, would have found it obvious to make what is claimed. In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Sernaker, 702 F.2d 989, 217 USPQ 1 (Fed. Cir. 1983). The reference, viewed by itself and not in retrospect, must suggest doing what applicant has done. In re Shaffer, 229 F.2d 476, 108 USPQ 326 (CCPA 1956); In re Skoll, 523 F.2d 1392, 187 USPQ 481 (CCPA 1975).

The test is what the combined teachings would have suggested to those of ordinary skill in the art. In re Keller, 642 F.2d 413, 208 USPQ 817 (CCPA 1981). The issue is not whether it is within the skill of the artisan to make the proposed modification but, rather, whether a person of ordinary skill in the art, upon consideration of the references, would have found it obvious to do so. The fact that the prior art could be modified so as to result in the combination defined by the claims would not have made the modification obvious unless the prior art suggests the desirability of the modification. See In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984), In

re Deminski, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986), In re Keller, supra, In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

A reasonable expectation of success is the standard with which obviousness is determined. See Hodosh v. Block Drug Co., Inc., supra, In re Merck & Co., Inc., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious, In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention, W.L. Gore & Associates, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). It is improper to combine references where the references teach away from their combination, In re Grasselli, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983). A prima facie case of obviousness may be rebutted by showing that the art, in any material respect, teaches away from the claimed invention, In re Geisler, 116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed. Cir. 1997).

Each of independent claims 21 and 25 (prior to amendments herein) positively recited generating a debit directive to debit a deposit account via one of a draft, a charge to a credit card, and an ACH transfer.

The Examiner looks to Lawlor at column 42, line 60, to column 43, line 68, and column 49, lines 7-40, as disclosing debiting a consumer's deposit account via a draft. It is respectfully submitted that the Examiner is mistaken. As will be further discussed below, Lawlor only obtains funds from a consumer's

account (i.e. debits a deposit account) by an ATM or ATM/POS debit.

The referenced text discloses, in column 42, line 60, to column 43, line 68, a payor selecting a payee to whom payment is to be made and determining if the payor has previously made a payment to that payee. In column 49, lines 20-28, the referenced text discloses processing performed after a payor requests a payment to be made. As disclosed, a payor's deposit account is debited via an ATM or ATM/POS network in favor of a holding account associated with the service provider (see lines 17-25). Then, a credit, either in the form of a check or an ACH transfer, is instituted to pay the payee (see lines 36-40). This credit is drawn on an account associated with the service provider, not on the payor's deposit account.

The Examiner-referenced text also discloses that the payor's account could be debited in favor of an account associated with the payee. That is, the funds debited from a payor's account via an ATM transfer are immediately credited to an account associated with the payee via an ATM transfer, without any intermediate account. However, as will be understood, this processing is necessarily not utilized in making consolidated payments, since consolidated payments would require an intermediate account.

Furthermore, in the Examiner-referenced text Lawlor discloses printing a check drawn on the service provider's account. Lawlor does not disclose a draft drawn on the payor's account. As will be understood by reference to the instant application, (see, for example, page 11, lines 5-8) a draft, prepared by a service provider, is drawn on a payor's account, not the service provider's account.

Accordingly, the referenced text does not disclose debiting a consumer's account by way of a draft.

The Examiner does not reference any text of Lawlor as disclosing debiting by way of a charge to a credit card.

The Examiner acknowledges that Lawlor does not disclose debiting via an ACH transfer. The Examiner relies on Benton as disclosing such debiting, stating, "Benton et al. is being applied only to show evidence of the ubiquitously well-known nature of ACH and ATM methods of electronic funds transfer." The Examiner then proposes to modify Lawlor by substituting Benton's ACH debiting for Lawlor's disclosed ATM debiting, though the Examiner has provided no rationale whatsoever as to how such a modification could be accomplished or what the results of such a modification would be.

In Benton, as described in column 5, lines 16-25, electronic funds transfers are effectuated utilizing facsimile machines. A payor faxes a payment request to a processor at a central location. The processor processes the facsimile transmission to encode the payment request into the proper protocol for processing by the ACH network. The central computer then transmits the payment request on the ACH network. It is simply not understood how such a system could be combined with Lawlor. Furthermore, even if Lawlor and Benton could be combined, such a combination would certainly be inconsistent with Lawlor's own teachings and result in a system which does not meet Lawlor's stated objectives.

Lawlor discloses that a practical architecture for providing comprehensive banking services, including paying bills to user selected payees, from one's home or office over standard telephone lines has yet to be proposed (see column 6, lines 31-36). According to the express teachings of Lawlor, home banking systems using PC's operating special purpose software (i.e. outside of the ATM or ATM/POS network) have been unsuccessful for various reasons (see column 1, line 20, through column 2, line 68). Thus, Lawlor is directed to capitalizing on the widespread familiarity with ATM

and ATM/POS networks and avoiding training etc. which Lawlor viewed as otherwise necessary if ATM or ATM/POS networks were not utilized (see column 6, lines 45-55). An explicit objective of Lawlor is to provide bill paying services using the ATM and ATM/POS networks (see column 5, lines 8-19), and therefore to avoid using ACH debits.

Lawlor proposes to meet this objective by disclosing a new use of the existing ATM and ATM/POS networks to provide transactions not previously supported by such networks, e.g. home initiated bill payment transactions and particularly the debiting of the payor's account in connection therewith (see column 7, lines 37-48). Hence, Lawlor expressly teaches against the use of the ACH network for debiting a payor's account to effectuate electronic bill payment.

Rather, Lawlor is directed to utilizing only ATM and ATM/POS networks to perform payor debiting associated with electronic bill payments. Such networks, as is well known in the art, allow debiting of funds in an account maintained only by a financial institute subscribing to the ATM or ATM/POS network. Accordingly, Lawlor discloses a system which is only usable by a consumer having an account at a financial institution subscribing to the ATM or ATM/POS network.

Lawlor was clearly aware of the ACH network, which Lawlor utilizes in transferring payments to payees. However, Lawlor avoids any suggestion that ACH transfers could be utilized to debit the payor's account. Rather, Lawlor only discloses debiting a payor's account via an existing ATM or ATM/POS network. This is a principle of operation of the Lawlor system. Thus, debiting a payor's account via the ACH network would necessarily require a change in this principle of the operation of the Lawlor system.

Further still, Lawlor goes to great lengths to explain why prior art bill payment systems, not utilizing existing ATM or

ATM/POS networks, were unsuccessful (see column 1, line 20, through column 2, line 68, and column 6, lines 31-36). Thus, Lawlor, as well as those familiar with his teachings, would view such a change in operation as having no reasonable expectation of success.

Hence, Lawlor can only be reasonably construed as teaching against the use of ACH debiting. Furthermore, Lawlor apparently failed to even comprehend the advantages of utilizing ACH transfer instead of ATM or ATM/POS transfers to debit a payer's account, not the least of these advantages being the practical ability to make payments from anyone to anyone. Accordingly, one skilled in the art would have no motivation to attempt to modify Lawlor in view of Benton to debit a payor's account via the ACH network.

Therefore, it is respectfully requested that the Examiner reconsider and withdraw the 35 U.S.C. §103(a) rejection of claims 21 and 25 and their dependencies.

Other features recited in the dependencies of claims 21 and 25 further and independently distinguish over the applied art.

For example, claims 45 and 56 require that the instructions be generated by a general purpose network device. The Examiner points to, as best understood, the abstract, Figure 12, and Figures 14A-14D of Lawlor as disclosing such requirement. It is respectfully submitted that the Examiner is mistaken. Lawlor goes to great lengths to explain why a general purpose network device is ineffective in functioning as a bill payment device. (See column 1, line 20, through column 3, line 61.) Furthermore, a substantial portion of the Lawlor patent is directed to describing the hardware and configuration of a specialized network device provided by Lawlor through which an instruction from a payer is transmitted. (See, for instance, column 6, lines 45-60, column 7, lines 5-11, and column 23, line 57, through column 29, line 48.) Lawlor's specialized device is intended to correspond to an ATM

machine and can only be utilized in delivering information to, and receiving information from, Lawlor's financial services distribution system. Hence, the Examiner's asserted construction of Lawlor is inconsistent with Lawlor's own teachings.

As should be clear from the above discussion, pending independent claims 21 and 25 are not obvious over Lawlor in view of Benton. In the interest of better defining the present invention, independent claims 21 and 25 (as well as independent claim 1) are amended herein to require that the single consolidated payment be made to the merchant before funds are obtained from at least one of the consumers. Independent claims 21 and 25 (as well as independent claim 1) have not been amended to overcome the prior art rejection.

Independent claims 59 and 60 have also been amended in the interest of better defining the present invention.

As amended, independent claim 59 requires, in part, processing a received plurality of payment instructions to generate a debit directive to debit each of a plurality of deposit accounts by an ACH transfer and to generate a directive to pay the merchant by a single consolidated payment. Further, claim 59 requires that the single consolidated payment be paid to the merchant prior to a confirmation of funds availability in at least one of the plurality of deposit accounts. Independent claim 59 has not been amended to overcome the prior art rejection.

As should be understood from the above discussion, claim 59 clearly distinguishes from Lawlor. Lawlor requires that funds be obtained from a customer via an ATM or ATM/POS network, whereas claim 59 requires that funds be obtained via an ACH transfer. Further, Lawlor requires a confirmation of funds availability be obtained for each consumer account to be debited before consolidated payment is made to a merchant, whereas claim 59 requires that consolidated payment be made to the merchant without

obtaining a confirmation of funds availability from at least one consumer account.

As amended, claim 60 requires, in part, selecting one of a draft and an electronic funds transfer as a form of debiting one of a plurality of deposit accounts associated with a respective one of a plurality of consumers. Further, claim 60 requires that a single consolidated payment be made to a merchant prior to completion of a debit from at least one of a plurality of deposit accounts. Independent claim 60 has not been amended to overcome the prior art rejection.

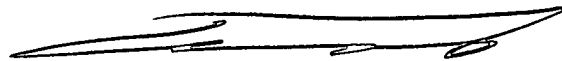
As should also be understood from the above discussion, claim 60 clearly distinguishes from Lawlor. In the Lawlor method, funds must be obtained from the consumer by a debit via an ATM or ATM/POS network. On the other hand, claim 60 requires a selection as to a form of debiting to obtain funds from a consumer. There is no selection whatsoever as to the form of debiting in Lawlor. Also, Lawlor does not teach or suggest debiting by way of a draft drawn on a consumer's account. Furthermore, as discussed above, Lawlor requires obtaining funds from a consumer prior to making a consolidated payment, whereas claim 60, as well as claims 1, 21, and 25, require that consolidated payment be made prior to obtaining funds from at least one consumer.

The Examiner acknowledges that consolidated payment in Lawlor is made only after funds have been obtained from each of the consumer's requesting payment to the merchant. The Examiner states, "Lawlor teaches that the customer's bills are paid to a service provider's account and that the service provider then pays the merchant" (page 4, lines 3-4, of Official Action dated August 8, 2001). Therefore, as amended, independent claims 1, 21, 25, and 60 further distinguish over the applied prior art combination by requiring a feature the Examiner acknowledges that Lawlor lacks.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

A petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 12-0427 and please credit any excess fees to such deposit account.

Respectfully submitted,
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APPENDIX TO RESPONSE TO OFFICIAL ACTION DATED

AUGUST 8, 2001

AMENDMENTS TO CLAIMS

(DELETIONS IN BRACKETS AND ADDITIONS UNDERLINED)

1. (Four Times Amended) A computerized method of directing payment of bills, comprising [the steps of]:

receiving via a network, a plurality of instructions, each having an associated amount, to pay a plurality of bills of a merchant on behalf of a plurality of consumers;

processing the received plurality of instructions to generate a plurality of debit [directive] directives, each [to] debit directive for debiting [each] a respective one of the associated amounts from [each] a respective one of a plurality of deposit accounts, each respective deposit account associated with a respective one of the plurality of consumers, by [one of a draft, a charge to a credit card and] an ACH transfer; [and]

processing the received plurality of instructions to generate a payment directive to pay the plurality of bills on behalf of the plurality of consumers by a single consolidated payment from a first account associated with a service provider;

initiating a transfer of funds from each of the plurality of deposit accounts to a second account associated with the service provider based upon the plurality of debit directives; and

paying the single consolidated payment to the merchant based upon the payment directive prior to completion of a transfer of funds from at least one of the plurality of deposit accounts to the second account.

4. (Twice Amended) The computerized method of claim [2] 1, wherein the single consolidated payment from [funds in] the first

[deposit] account is paid by [directed by directing preparation of] a check drawn on the first [deposit] account.

5. (Twice Amended) The computerized method of claim [2] 1, wherein the single consolidated payment from [funds in] the first [deposit] account is paid by [directed by directing initiation of] an electronic funds transfer from the first [deposit] account.

21. (Four Times Amended) An article of manufacture for directing payment of bills, comprising:

a computer readable medium; and

computer programming stored on the computer readable medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive via a network, a plurality of instructions, each having an associated amount, to pay a plurality of bills of a merchant on behalf of a plurality of consumers;

process the received plurality of instructions to generate a plurality of debit [directive] directives, each [to] debit directive for debiting [each] a respective one of the associated amounts from [each] a respective one of a plurality of deposit accounts, each respective deposit account associated with a respective one of the plurality of consumers, by [one of a draft, a charge to a credit card and] an ACH transfer; [and]

process the received plurality of instructions to generate a payment directive to pay the plurality of bills on behalf of the plurality of consumers by a single consolidated payment from a first account associated with a service provider;

initiate a transfer of funds from each of the plurality of deposit accounts to a second account associated with the service provider based upon the plurality of debit directives; and

pay the single consolidated payment to the merchant based upon the payment directive prior to completion of a transfer of funds from at least one of the plurality of deposit accounts to the second account.

25. (Four Times Amended) A system for directing payment of bills, comprising:

a first processor configured to receive, via a network, a plurality of instructions, each having an associated payment amount, to pay a plurality of bills of a merchant on behalf of a plurality of consumers; and

a second processor configured to (i) process the received plurality of instructions to generate [(i)] a plurality of debit [directive] directives, each [to] debit directive for debiting [each] a respective one of the associated amounts from [each] a respective one of a plurality of deposit accounts, each respective deposit account associated with a respective one of the plurality of consumers, by [one of a draft, a charge to a credit card and] an ACH transfer, [and] (ii) process the received plurality of instructions to generate a payment directive to pay the plurality of bills on behalf of the plurality of consumers by a single consolidated payment from a first account associated with a service provider, (iii) initiate a transfer of funds from each of the plurality of deposit accounts to a second account associated with the service provider based upon the plurality of debit directives, and (iv) pay the single consolidated payment to the merchant based upon the payment directive prior to completion of a transfer of funds from at least one of the plurality of deposit accounts to the second account.

34. (Amended) The computerized method of claim [3] 1, wherein the first and the second deposit accounts are the same deposit account.

39. (Amended) The article of manufacture according to claim [38] 21, wherein the single consolidated payment from [funds in] the first [deposit] account is paid by [directed by directing preparation of] a check drawn on the first [deposit] account.

40. (Amended) The article of manufacture according to claim [38] 1, wherein the single consolidated payment from [funds in] the first [deposit] account is paid by [directed by directing initiation of] an electronic funds transfer from the first [deposit] account.

44. (Amended) The article of manufacture according to claim [41] 21, wherein the first and the second deposit accounts are the same deposit account.

49. (Amended) The system according to claim [48] 25, wherein the single consolidated payment from [funds in] the first [deposit] account is paid by [directed by directing preparation of] a check drawn on the first [deposit] account.

50. The system according to claim [48] 25, wherein the single consolidated payment from [funds in] the first [deposit] account is paid by [directed by directing initiation of] an electronic funds transfer from the first [deposit] account.

54. The system according to claim [51] 25, wherein the first and the second deposit accounts are the same deposit account.

59. (Thrice Amended) A computerized method of directing payment of bills, comprising [the steps of]:

receiving, via a network, a plurality of instructions, each instruction having an associated amount, to pay a plurality of bills of a merchant on behalf of a plurality of consumers;

processing the received plurality of instructions to generate a debit directive to debit each of the associated amounts from each of a plurality of deposit accounts associated with each of the plurality of consumers by [one of a draft, a charge to a credit card and] an ACH transfer; and

processing the received plurality of instructions to generate a directive to pay the plurality of bills on behalf of the plurality of consumers by a single consolidated payment;

wherein the single consolidated payment is paid to the merchant in accordance with the generated directive to pay prior to a confirmation that at least one of the plurality of deposit accounts has funds available in at least the amount represented in the generated debit directive.

60. (Four Times Amended) A computerized method of directing payment of bills, comprising [the steps of]:

receiving a plurality of instructions to pay a plurality of bills of a merchant on behalf of a plurality of consumers, each of the received plurality of instructions having an associated payment amount;

processing the received plurality of instructions to generate a payment directive to pay the plurality of bills on behalf of the plurality of consumers by a single consolidated payment; [and]

[processing the received plurality of instructions to generate a directive to debit each of a plurality of deposit accounts associated with each of the plurality of consumers by one of a draft, a charge to a credit card and an ACH transfer;]

selecting one of (i) a draft and (ii) an electronic fund transfer as a form of debiting the associated payment amount from one of a plurality of deposit accounts associated with a respective one of the plurality of consumers;

initiating a debit from each of the plurality of deposit accounts in accordance with the selected form of debiting; and

paying the single consolidated payment to the merchant in accordance with the payment directive prior to completion of a debit from at least one of the plurality of deposit accounts.